

RESOLUTION NO. \_\_\_\_\_

TO PROHIBIT PERSONS FROM POSSESSING HANDGUNS IN PUBLIC PARKS  
IN \_\_\_\_\_ COUNTY

WHEREAS, Chapter 428 of the Public Acts of 2009 (“Public Chapter 428”) amends T.C.A. § 39-17-1311 to make it legal, effective September 1, 2009, for persons authorized to carry a handgun pursuant to T.C.A. § 39-17-1351 to carry a handgun while within or on a public park, natural area, historic park, nature trail, campground, forest, greenway, waterway or other similar public place (hereinafter referred to as “public park”) that is owned or operated by a county or instrumentality thereof; and

WHEREAS, Public Chapter 428 authorizes counties, by a majority vote of the county legislative body, to elect to prohibit persons authorized to carry a handgun pursuant to T.C.A. § 39-17-1351 from possessing such handgun while within or on public parks owned or operated by the county or instrumentality thereof; and

WHEREAS, Public Chapter 428 states that if a county legislative body elects to prohibit the possession of handguns within public parks owned or operated by a county or instrumentality thereof, the prohibition shall apply to the entire public park, notwithstanding the provisions of T.C.A. § 39-17-1311(b)(1)(I); and

WHEREAS, Public Chapter 428 states that if such area is jointly owned or operated by municipalities or counties, then a resolution adopted by a majority vote of all affected legislative bodies, voting individually, is necessary for such municipalities or counties to prohibit persons from possessing handguns while within such public park; and

WHEREAS, Public Chapter 428 states that counties electing to prohibit persons from carrying handguns in their public parks shall display in prominent locations the sign authorized by § 39-17-1311(c)(1), to give notice that handguns are not permitted; and

WHEREAS, pursuant to Public Chapter 428, it is a Class A misdemeanor for persons to possess handguns while within or on public parks owned or operated by a county or instrumentality thereof in a county that has passed a resolution prohibiting persons from possessing handguns in the aforementioned places; and

WHEREAS, the Board of County Commissioners of \_\_\_\_\_ County finds that it is in the best interests of \_\_\_\_\_ County to prohibit persons from carrying handguns in public parks owned or operated by \_\_\_\_\_ County or an instrumentality thereof as authorized by T.C.A. § 39-17-1311:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of \_\_\_\_\_ County, Tennessee, meeting in regular session on this the \_\_\_\_ day of \_\_\_\_, 2009, in \_\_\_\_\_, Tennessee, that:

Section 1. Effective on the first day of the month following the final passage of this resolution, persons authorized to carry a handgun pursuant to T.C.A. § 39-17-1351 shall be prohibited from possessing such handgun while within or on a public park that is owned or operated by \_\_\_\_\_ County or an instrumentality thereof.

Section 2. Pursuant to T.C.A. § 39-17-1311, the county mayor shall post in prominent locations the sign authorized by § 39-17-1311(c)(1) to give notice that handguns are not permitted in the public parks in \_\_\_\_\_ County, including, but not limited to, the following: [list parks here].

Section 3. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application and to that end the provisions of this resolution are declared to be severable.

Passed by a majority vote of the Board of County Commissioners of \_\_\_\_\_ County, this the \_\_\_\_ day of \_\_\_\_, 2009.

APPROVED:

\_\_\_\_\_  
County Mayor

ATTEST:

\_\_\_\_\_  
County Clerk